

**STATE TUITION POLICIES
FOR ACTIVE-DUTY MILITARY
AND
FAMILY MEMBERS**

2002

In planning the use of educational funds, military personnel need to know the tuition charged by the states in which they are stationed.

This guide provides information about in-state tuition rates at public, educational institutions for military persons and their families. It is best to first access the State Tuition Policies Chart. For more specific information, access the Statute Extracts, which give addresses, phone numbers and Web sites to contact.

In surveying each state, we asked that a copy of the law or statute be provided that delineates the military tuition policy. We included this information for all states that provided it.

If you need more guidance on policy for a particular state, contact the state agency listed or the school the student plans to attend. This document is not meant to be exhaustive.

The information in this document is current as of October 2002.

We hope you find this a useful resource.

State Tuition Policies for Military Personnel Assigned to Duty Within the State

State	Tuition charge for non-resident active duty military personnel stationed in the state. *See note below.			Military family Members charged the same rate as military?			Authority which determined Tuition policy			
	In State	Out of State	Determined by Individual Institution	Yes	No	Varies	Statute or Constitution	Higher Education Agency (HEA), State Board of Regents (SBR) or Commission (COM), other	University System Governing Board	Individual Institution Governing Board
Alabama	X			X						
Alaska	X			X				SBR		
Arizona	X			X			Statute			
Arkansas	X			X			Statute			
California*	X					X	Statute			
Colorado	X			X			Statute			
Connecticut			X		X		Statute			X
Delaware	X			X						
District of Columbia	X			X				Board of Trustees Resolution		X
Florida	X			X			Statute			
Georgia	X			X				SBR		
Hawaii	X			X			Statute			
Idaho	X			X			Statute			
Illinois	X			X						X
Indiana	X			X						X
Iowa	X			X						
Kansas	X			X			Statute			
Kentucky	X			X						

Note: Tuition charges are different if assigned to a particular state for educational purposes only.

* In-state rates are granted until he or she has resided in the state the minimum time necessary to become a resident. In-state rates granted at all community colleges.

State Tuition Policies for Military Personnel Assigned to Duty Within the State

	Tuition charge for non-resident active duty military personnel stationed in the state. *See note below.			Military family Members charged the same rate as military?			Authority which determined Tuition policy			
State	In State	Out of State	Determined by Individual Institution	Yes	No	Varies	Statute or Constitution	Higher Education Agency (HEA), State Board of Regents (SBR) or Commission (COM), other	University System Governing Board	Individual Institution Governing Board
Louisiana	X			X						
Maine	X			X						
Maryland	X			X						
Massachusetts		X		X			Statute	HEA		
Michigan			X			X				X
Minnesota	X			X						
Mississippi	X			X				SBR		
Missouri		X		X						
Montana	X			X				SBR		
Nebraska	X			X			Statute			
Nevada	X			X						
New Hampshire	X			X				HEA	X	
New Jersey	X			X			Statute			
New Mexico	X			X				HEA		
New York	X			X			Statute			
North Carolina***		X			X		Statute			
North Dakota	X			X				HEA	X	
Ohio	X			X						

Note: Tuition charges are different if assigned to a particular state for educational purposes only.

*** Dependents are charged in-state rates.

State Tuition Policies for Military Personnel Assigned to Duty Within the State

Tuition charge for non-resident active duty military personnel stationed in the state. *See note below.				Military family Members charged the same rate as military?			Authority which determined Tuition policy			
State	In State	Out of State	Determined by Individual Institution	Yes	No	Varies	Statute or Constitution	Higher Education Agency (HEA), State Board of Regents (SBR) or Commission (COM), other	University System Governing Board	Individual Institution Governing Board
Oklahoma	X			X			Constitution			
Oregon	X			X			Statute	Oregon Administrative Rule		
Pennsylvania	X			X			Statute			
Puerto Rico	X			X				SBR		
Rhode Island	X			X						
South Carolina	X			X			Statute			
South Dakota		X			X		Statute	Constitutional Law		
Tennessee	X			X				HEA/SBR		
Texas	X			X			Statute			
Utah	X			X				HEA		
Vermont		X		X						
Virginia**		X				X	Statute			
Washington	X			X			Statute			
West Virginia#	X			X			Statute			
Wisconsin	X			X				SBR		
Wyoming	X			X				Wyoming Community College Commission Rule		

Note: Tuition charges are different if assigned to a particular state for educational purposes only.

** In-state rates are granted after meeting state residency requirements.

Military must reside in the state.



ALABAMA

Alabama Commission on Higher Education
P.O. Box 302000
Montgomery, AL 36130-2000

Phone: (334) 242-2104

Web site: <http://www.ache.state.al.us>
<http://www.studentaid.state.al.us>

Section 16-64-2 Requirements for qualification as resident student.

“For purposes of admission and tuition, a public institution of higher education may consider that the term resident student includes any of the following:

(1) One who, at the time of registration, is not a minor and satisfy the following:

c. Is a member or the spouse of a member of the United States military on full-time active duty stationed in Alabama under orders for duties other than attending school.

(2) One who, at the time of registration, is a minor and whose supporting person satisfy the following:

c. Is a member of the United States military on full-time active duty stationed in Alabama under orders for duties other than attending school.”



ALASKA

University of Alaska
Statewide Budget & Institutional Research
910 Yukon Drive, Suite 103
P.O. Box 755260
Fairbanks, AK 99775-5260

Phone: (907) 474-6956/5889

Web site: <http://www.alaska.edu>

Board of Regents Policy:
Part 5 – Finance & Business Management
Chapter X – Tuition and Fees

Nonresident Tuition Surcharge

Exception to nonresident tuition surcharge: The nonresident tuition surcharge shall not apply to:

1. Military personnel on active duty in Alaska, their spouses and dependent children, regardless of their state residency status.
2. Members of the Alaska National Guard, their spouses and dependent children, regardless of whether they yet qualify as residents of the state under any other requirements.



ARIZONA

Arizona Board of Regents
2020 North Central, Suite 230
Phoenix, AZ 85004

Phone: (602) 229-2503

Web site: <http://www.abor.asu.edu> (Board of Regents)
<http://www.asu.edu> (Arizona State University)
<http://www.nau.edu> (Northern Arizona University)
<http://www.arizona.edu> (University of Arizona)
<http://www.azdistancelearning.org> (Arizona Regents University)

15-1802. In-State Student Status

E. A person who is a member of the armed forces of the United States and who is stationed in this state pursuant to military orders or who is the spouse or a dependent child as defined in section 43-1001 of person who is a member of the armed forces of the United States and who is station in this state pursuant to military orders is entitled to classification as in-state student.



ARKANSAS

Arkansas Department of Higher Education
114 East Capitol
Little Rock, AR 72201-3818

Phone: (501) 371-2025

Web site: <http://www.arkansashighered.com>

General Provisions

6-60-205. In-State tuition for military personnel and dependents.

“If a member of the armed forces is stationed in the state of Arkansas pursuant to **military** orders, he or she and his or her unemancipated dependents shall be entitled to classification as ‘in-state’ for the purpose of paying fees at state-supported colleges and universities.”



CALIFORNIA

INFORMATION ON THIS PAGE LAST UPDATED IN 1998

California Postsecondary Education Commission
1303 J Street, Suite 500
Sacramento, CA 95814-2938

Phone: (916) 322-0144

Web site: <http://www.cpec.ca.gov>

Statute 68074. Dependent of Member of the Armed Forces

“Except as otherwise provided in section 68074.1, a student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification until he or she has resided in the state the minimum time necessary to become a resident.”

“If that member of the armed forces of the United States, whose dependent natural or adopted child, stepchild, or spouse is in attendance at an institution, (1) is thereafter transferred on military orders to a place outside this state where the member continues to serve in the armed forces of the United States or (2) is thereafter retired as an active member of the armed forces of the United States, the student shall not lose his or her resident classification until he or she has resided in the state the minimum time necessary to become a resident.”

Statute 68074.1. Dependent of Members of the Armed Forces; California State University

“Notwithstanding Section 68074, a student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification at a campus of the California State University.”

Statue 68075. Member of Armed Forces

“Except as otherwise provided in Section 68075.1, a student who is a member of the armed forces of the United States stationed in this state on active duty, except a member of the armed forces assigned for educational purposes to state-supported institutions of higher education, is entitled to resident classification until he or she has resided in the state the minimum time necessary to become a resident.”

Statute 68075.1. Member of the Armed Forces; California Community Colleges

(a) “Notwithstanding Section 68075, a student who is a member of the armed forces of the United States stationed in this state on active duty, except a member of the armed forces assigned for educational purposes to state-supported institutions of higher education, is entitled to resident classification at any campus of the California Community Colleges.”

Statute 68075.5. Armed Forces Members Remaining in State Following Discharge

“A student who was a member of the armed forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification for the length of time he or she lives in this state after being discharged up to the minimum time necessary to become a resident.



COLORADO

Colorado Commission on Higher Education
1380 Lawrence Street, Suite 1200
Denver, CO 80204-2059

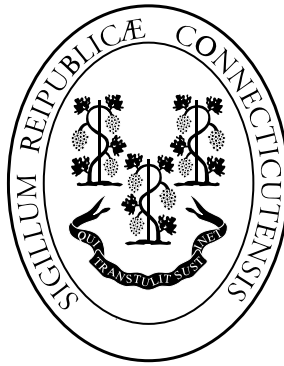
Phone: (303) 866-2723

Web site: <http://www.colorado.gov/education.htm>

Colorado Statutes 23-7-103 – Presumptions and rules for determination status

4.10 Military Personnel

- 4.10.01 Upon action of the governing board to grant in-state tuition classification under the provisions of 23-7-103(1)(c)(II) as general policy, the institutional registering authority may determine active duty members of the U.S. Armed Forces, and their dependents, eligible for in-state tuition if the petitioner produces satisfactory documentation to show that he/she is moving to or residing in Colorado on a permanent change-of-station status as certified by the appropriate military official.



CONNECTICUT

State of Connecticut
Department of Higher Education
61 Woodland Street
Hartford, CT 06105-2391

Phone: (860) 947-1848

Web site: <http://www.ctdhe.org>

The individual governing Board of Trustees for a particular college determines tuition rate for non-resident active duty military personnel stationed in the state.



DELAWARE

State of Delaware
Delaware Higher Education Commission
Carvel State Office Building
820 French Street
Wilmington, DE 19801

Phone: (302) 577-3240

Web site: <http://www.doe.state.de.us/high-ed>

No statute or law citation was submitted by this state Commission. Contact the agency at the address above for specific information.



DISTRICT OF COLUMBIA

INFORMATION ON THIS PAGE LAST UPDATE IN 1998

University of the District of Columbia
Research Training and International Programs
4250 Connecticut Avenue, N.W., Suite 520
Washington, D.C. 20008

Phone: (202) 274-5596

Web site: <http://www.udc.edu>

UDC Resolution No. 88-93

“States that non-resident active duty military personnel, members of the selective reserve, National Guard and their dependents be allowed to pay resident tuition and fees at the University of the District of Columbia.”



FLORIDA

INFORMATION ON THIS PAGE LAST UPDATED IN 2000

Department of Education
Office of Postsecondary Education Coordination
1314 Florida Education Center
325 W. Gaines Street
Tallahassee, FL 32399-0400

Phone: (850) 922-0344

Web Site: <http://www.borfl.org> (state universities)
<http://www.dcc.firn.edu> (community colleges)

Florida Statute Section 240.1201(7) and (10)(a)(b)

(7) "A person shall not lose his or her resident status for tuition purposes solely by reason of serving, or, if such person is a dependent child, by reason of his or her parent's or parents' serving, in the Armed Forces outside this state."

(10) "The following persons shall be classified as residents for tuition purposes:

(a) Active duty members of the Armed Services of the United States residing or stationed in this state, their spouses, and dependent children.

(b) Active duty members of the Armed Services of the United States and their spouses attending a public community college or university within 50 miles of the military establishment where they are stationed, if such military establishment is within a county contiguous to Florida."



GEORGIA

Board of Regents of the University System of Georgia
270 Washington Street, SW
Atlanta, GA 30334

Phone: (404) 463-0372

Web site: <http://www.usg.edu>

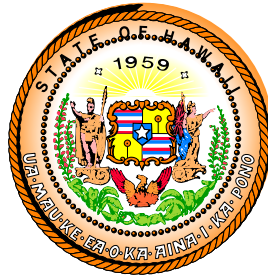
Section 700 FINANCE AND BUSINESS, Section 700

704.04 Out-of-State Tuition Waivers and Waiver of Mandatory Fees

704.41 Out-of-State Tuition Waivers

“An institution may waive out-of-state tuition and access in-state tuition for:

G. Military Personnel. Military personnel, their spouses, and their dependent children stationed in Georgia and on active duty, unless such military personnel are assigned as students to System institutions for educational purposes.”



HAWAII

University of Hawaii
Office of Planning and Policy
Administrative Services, Bldg. 1, Room 1001
2442 Campus Road
Honolulu, HI 96822

Phone: (808) 956-7075

Web sites: <http://www.hawaii.edu>

Legislation passed in 1996 removed the authority to grant full or partial tuition waivers from statute and granted authority to the University of Hawaii Board of Regents.



IDAHO

Idaho State Board of Education
P.O. Box 83720
Boise, ID 83720-0037

Phone: (208) 332-1567

Web site: <http://accessidaho.org>

33-3717. Tuition at state colleges and universities not required – Exceptions.

(2) “For purposes of this section, a resident student is:

(e) A member of the armed forces of the United States, stationed in the state of Idaho on military orders.

(f) A student whose parent or guardian is a member of the armed forces and stationed in the state of Idaho on military orders and who receives fifty percent (50%) of more of support from parents or legal guardians.”



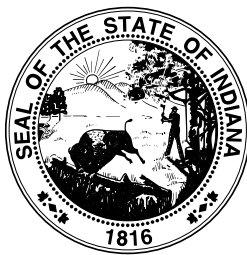
ILLINOIS

State of Illinois
Board of Higher Education
431 East Adams Street, Second Floor
Springfield, IL 62701-1418

Phone: (217) 782-2551

Web site: <http://www.ibhe.state.il.us>

There is no State statute or policy governing tuition rates for non-resident military personnel. Illinois public universities have historically waived the non-resident portion of tuition for active duty military personnel and their families stationed and serving in Illinois. However, individuals should consult with the individual institution for specific policies.



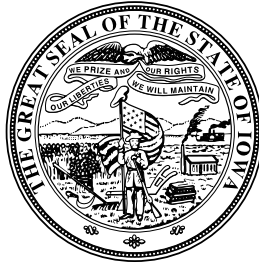
INDIANA

University of Southern Indiana
Student Affairs
8600 University Boulevard
Evansville, IN 47712-3596

Phone: (812) 464-1757

Web site: <http://www.usi.edu>

This applies to the University of Southern Indiana only: "With orders proving in-state stationing, student and family members are charged in-state tuition and fees."



IOWA

Board of Regents
State of Iowa
Des Moines, IA 50319

Phone: (515) 281-3934

Web site: <http://www.state.ia.us/educate/regents>

The following policy is taken from the Iowa Administrative Code. This policy applies to the public universities in Iowa (University of Iowa, Iowa State University, University of Northern Iowa), not to the public community colleges. Each community college board determines its rules for residency requirements.

“A person who has moved into the State as the result of military or civil orders from the government for other than educational purposes, or the dependent of such a person, is entitled to resident status. However, if the arrival of the person under orders is subsequent to the beginning of the term in which the student is first enrolled, nonresident fees will be charged in all cases until the beginning of the next term in which the student is enrolled. Legislation, effective July 1, 1977, requires that military personnel who claim residency in Iowa (home of record) will be required to file Iowa resident income tax returns.”



KANSAS

Kansas Board of Regents
1000 SW Harrison, Suite 520
Topeka, KS 66612-1368

Phone: (785) 296-3689

Web site: <http://www.Kansasregents.org>

K.S.A. 1996 Supp 76-729. (For Universities)

“Residence of students for fee purposes; basic rule, certain exceptions authorized; definitions.

(a) Persons enrolling at the State educational institutions under the control and supervision of the state board of regents who, if such persons are adults, have not been or, if such persons are minors, whose parents have not been residents of the state of Kansas for at least 12 months prior to enrollment for any term or sessions at a state educational institution are nonresidents for fee purposes.”

(b) “The State Board of Regents may authorized the following persons, or any class or classes thereof, and their spouses and dependents to pay an amount equal to resident fees.”

(2) “Person who are in the military service;”

(3) “Persons who are domiciliary residents of the State, who were in active military service prior to becoming domiciliary residents of the state, who were present in the state for a period of not less than two years during their tenure in active military service, whose domiciliary residents was established in the state within 30 days of discharge or retirement from active military service under honorable conditions, but whose domiciliary residence was not timely enough established to meet the residence duration requirement of subsection (a).”

K.S.A. 2001 Supp 71-407 (For Community Colleges)

“State residence; certain persons considered state residents; definitions; eligibility criteria.

(a) The following persons, or any class or classes thereof, and their spouses and dependents, may be considered residents of the state of Kansas by the state board for the purpose of determining state entitlements of community colleges:”

(1) “Persons who are active in military service of the United States;”

(2) “Persons who are domiciliary residents of the state, who were in active military service prior to become domiciliary residents of the state, who were present in the state for a period of not less than two years during their tenure in active military service, whose domiciliary residence was established in the state within 30 days of discharge of retirement from active duty service under honorable conditions, but whose domiciliary residence was not timely enough to

established to meet the residence duration requirement of K.S.A. 71-406 and amendments thereto.”



KENTUCKY

Kentucky Council on Postsecondary Education
Suite 320, 1024 Capital Center Drive
Frankfort, KY 40601-8204

Phone: (502) 573-1555

Web site: <http://www.cpe.state.ky.us>

Statutory Authority: KRS 164.020(8)

Section 7. Member of Armed Forces of the United States, Spouse and Dependents; effect on a Determination of Residency Status

1. "A member, spouse, or dependent of a member whose domicile and residency was Kentucky at the time of induction into the Armed Forces of the United States, and who maintains Kentucky as home of record and permanent address, shall be entitled to Kentucky residency status:

(a) During the time of active service; and

(b) If the member, spouse or dependent returns to this state within six (6) months of the date of the member's discharge from active duty."

2. (a) "A member, spouse or dependent of a member of the Armed forces of the United States stationed in Kentucky on active duty military orders shall be considered a Kentucky resident while the member is on active duty in this State pursuant to those orders if the member is not:

1. Stationed in Kentucky for the purpose of enrollment at an institution of higher education

2. On temporary assignment of less than one (1) year.

(b) A member, spouse or dependent of a member, shall not lose Kentucky residency status if the member is thereafter transferred on military orders while the member, spouse or dependent requesting the status is in continuous enrollment at the degree level in which currently enrolled."

3. "A person's residency status established pursuant to this section shall be reassessed if the qualifying condition is terminated."



LOUISIANA

Louisiana State University System
3810 West Lakeshore Drive
P.O. Box 17050-A
Baton Rouge, LA 70808-5470

Phone: (225) 578-5472

Web site: <http://www.regents.state.la.us>

R.S. 17:2137

2137. Tuition fees for members of the armed forces and dependents; resident classification

- A. A child or spouse of a member of the armed forces of the United States stationed in Louisiana on active duty shall be entitled to resident classification for tuition purposes at any state college or university without regard to length of time of residency in the state.
- B. A child or spouse of a member of the armed forces of the United States who has been assigned to duty elsewhere immediately following assignment to duty in Louisiana shall be entitled to resident classification for tuition purposes at any state college or university for as long as the child or spouse, as the case may be, continuously resides in Louisiana after the Louisiana duty assignment of the parent or spouse.
- C. The burden of proving entitlement to the benefit to the Section shall lie with the applicant therefor.
- D. Any individual who was permanently station in Louisiana as a member of any branch of the United States Armed Forces, including his dependents, who enrolls as a student at any state owned and operated college or university, shall be classified as a resident for tuition purposes and shall qualify for resident tuition fees at any such state owned and operated college or university, provided that the individual has been continuously residing in Louisiana after being honorably discharged from the United States Armed Forces.



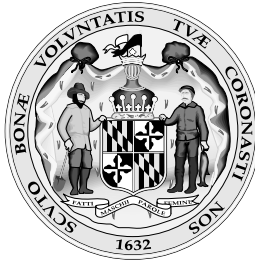
MAINE

University of Maine System
Office of Finance and Treasurer
107 Maine Avenue
Bangor, ME 04401-4380

Phone: (207) 973-3364

Web sites: <http://www.maine.edu>
<http://www.mtcs.net>

The University of Maine System is a seven-campus system of public higher education institutions in the State of Maine. Active duty military are charged in-state rates. Each institution sets their own charge times a base rate. Please contact the school directly for specific charge amounts.



MARYLAND

Maryland Higher Education Commission
839 Bestgate Road, Suite 400
Annapolis, MD 21401-3013

Phone: (410) 260-4533

Web site: <http://www.mhec.state.md.us>

COMAR 13B.07.02.03 F (1) & (2) (community colleges)

“F. The following students shall be considered to be Maryland residents:

(1) Military personnel and their dependents who have a domicile in Maryland at the time of entrance into the armed forces and who are stationed outside the State;

(2) Military personnel stationed in Maryland and on active duty who did not have a domicile in Maryland at the time of entrance into the armed forces and their dependents.”

Policy of the Board of Regents of the University System of Maryland

I. Policy

B. In addition, persons with the following status shall be accorded the benefits of in-state status for the period in which they hold such status:

3. A full-time active member of the Armed Forces of the United States whose home of residency is Maryland or one who resides or is stationed in Maryland, or the spouse or a financially dependent child of such a person.

4. For UMUC, a full-time active member of the Armed Forces of the United States on active duty, or the spouse of a member of the Armed Forces of the United States on active duty.



MASSACHUSETTS

INFORMATION ON THIS PAGE LAST UPDATED IN 1995

The Commonwealth of Massachusetts
Office of Student Financial Assistance
454 Broadway, Suite 200
Revere, MA 02151

Phone: (617) 727-9420

Web site: <http://www.osfa.mass.edu>

No statute or law was submitted for inclusion in this publication. Contact the address above for specific information.



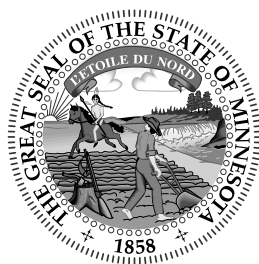
MICHIGAN

State of Michigan
Department of Education
P.O. Box 30008
Lansing, MI 48909

Phone: (517) 373-6551

Web site: <http://www.michigan.gov>

Contact the individual institution for their policy on State Tuition exemptions.



MINNESOTA

Minnesota Higher Education Services Office
1450 Energy Park Drive, Suite 350
Saint Paul, MN 55108-5227

Phone: (651) 642-0581

Web sites: <http://www.iseek.org>
<http://www.mnscu.edu>
<http://www.umn.edu>

Minnesota has two public system-governing boards; The Minnesota State College and Universities Board of Trustees and the University of Minnesota Board of Regents. Each governing board sets tuition policy.

University of Minnesota Board of Regents.

Registrar's Subcode: 02671 (UMTC)

“Nonresident Tuition Waiver for Military Personnel on Active Duty in Minnesota for Purposes Other Than Attending School. U.S. military personnel serving on active duty assignment in Minnesota may pay resident tuition. Military personnel and their immediate family members must present duty orders and/or military dependent I.D. to the residency office in order to qualify for the exemption.”

Minnesota State College and Universities Board Policies.

Chapter 2 – Students Subpart C dtd July 21, 1999

Individuals in the following category shall qualify for in-state tuition rates:

8. “U.S. military personnel serving on active duty assignment in Minnesota, and their spouses and dependent children qualify for in-state tuition rates.”



MISSISSIPPI

Mississippi Institutions of Higher Learning
3825 Ridgewood Road
Jackson, MS 39211-6453

Phone: (601) 432-6318

Web site: <http://www.ihl.state.ms.us>

Section 603.08 MILITARY PERSONNEL

603-0801 ACTIVE DUTY STATIONED IN MISSISSIPPI

“Members of the United States Armed Forces on extended active duty and stationed within the State of Mississippi may be classified as residents, for the purpose of attendance at State-supported institutions of higher learning and junior colleges of the State of Mississippi. Resident status of such military personnel who are not legal residents of Mississippi shall terminate upon their reassignment for duty in continental United States outside the State of Mississippi.”

603.0802 CHILDREN OF MILITARY PERSONNEL

“Resident status of children of members of the Armed Forces on extended active duty shall be that of the military parent for the purpose of attending state-supported institutions of higher learning and junior colleges of the state of Mississippi during the time that their military parents are stationed within the state of Mississippi. It shall continue through the time of that assignment within the state of Mississippi, with the exception of temporary training assignment en route from Mississippi. Resident status of minor children shall terminate upon reassignment under Permanent Change of Station Orders of their military parents for duty in the continental United States outside the state of Mississippi, excepting temporary training assignments en route from Mississippi.”

603.0803 CERTIFICATION OF RESIDENCE OF MILITARY PERSONNEL

“A military person on active duty stationed in Mississippi who wishes to avail himself/herself or his/her dependents, must submit a certificate from his/her military organization showing the name of the military member; the name of the dependent, if applicable; the name of the organization of assignment and its address (may be in the letterhead); that the military member will be on active duty stationed in Mississippi on the date of registration at the state-supported institutions of higher learning; that the military member is not on transfer orders; and the signature of the Commanding Officer, the Adjutant, or the Personnel Officer of the unit

assignment with signer's rank and title. A military certificate must be presented to the registrar of the state-supported institution of higher learning each semester at (or within 10 days prior to) registration each semester."



MISSOURI

Coordinating Board for Higher Education
3515 Amazonas Drive
Jefferson City, MO 65109-5717

Phone: (573) 751-1774

Web site: <http://www.mostars.com>

STATUTE 6 CRS 10-3.010: Determination of Student Residency

(5) Members of the Military Forces. "Students shall neither gain or lose resident status solely as a consequences of military service. For the purposes of student resident status, military personnel, when stationed within the state of Missouri pursuant to military orders, their spouses and unemancipated minor children shall be regarded as holding Missouri resident status. However, a member of the military forces who is specifically assigned, under orders, to attend a Missouri institution of higher education as a full-time student, shall be classified, along with his/her spouse and unemancipated minor children, as if they had no connection with the military forces."



MONTANA

Commissioner of Higher Education
The Montana University System
2500 Broadway
P.O. Box 203101
Helena, MT 59620-3101

Phone: (406) 444-6570

Web site: <http://www.montana.edu/wwwbor/>

Section 940.1 Residency Policy; Montana University System

(7) (a) “Notwithstanding the residency requirement, the following classes of persons are eligible for in-state status:

(i) Members of the armed forces of the United States assigned to active duty in Montana, their spouses, and their dependent children during the member’s tour of duty in Montana.”



NEBRASKA

INFORMATION ON THIS PAGE LAST UPDATED IN 2000

Coordinating Commission for Postsecondary Education
P.O. Box 95005
Lincoln, NE 68509-5005

Phone: (402) 471-6506

Web site: <http://www.ccpe.state.ne.us>

ARTICLE 5

85.502. "State educational institution; resident requirements. Rules and regulations established by the governing board of each state educational institution shall require as a minimum that a person shall not be deemed to have established a resident in this state unless:

(7) Such person is on active duty with the armed services of the United States and has been assigned a permanent duty station in Nebraska, or is a legal dependent of a person on active duty with the armed services of the United States assigned a permanent duty station in Nebraska."



NEVADA

University and Community College System of Nevada
System Administration
2601 Enterprise Road
Reno, NV 89512

Phone: (702) 784-4901 Ext. 226

Web site: <http://www.nevada.edu>

TITLE 4 – Codification of Board Policy Statements

Chapter 15

Regulations for Determining Residency and Tuition Charges

Section 4. Resident Students

Any person to whom one of the following categories applies is a resident student:

5. a. “A member of the Armed Forces of the United States, on active duty, stationed in Nevada as a result of a permanent change of duty station pursuant to military orders, or a person whose spouse, family or legal guardian is a member of the Armed Forces of the United States stationed in Nevada as a result of a permanent change of duty station pursuant to military orders.”



NEW HAMPSHIRE

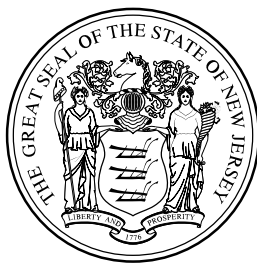
University of New Hampshire
Office of the Registrar
Stoke Hall
11 Garrison Avenue
Durham, NH 03824-3511

Phone: (603) 862-1500

Web site: <http://www.unh.edu>

Rules Governing Tuition Rates for the University of New Hampshire

Any member of the Armed Forces of the United States stationed in this state under military orders shall be entitled to classification for him/herself, spouse and dependent children as in-state for tuition purposes so long as the member remains on active duty in this state pursuant to such others.



NEW JERSEY

New Jersey Army National Guard
Education Center
3650 Saylors Pond Road
Fort Dix, NJ 08640

Phone: (609) 562-0654

Web site: <http://www.state.nj.us/military/education>

18A:62-4.1. Resident tuition for military personnel.

“United States military personnel and their dependents who are living in New Jersey are attending public institutions of higher education in New Jersey shall be regarded as residents of the State for the purpose of determining tuition.”



NEW MEXICO

Commission on Higher Education
1068 Cerrillos Road
Santa Fe, NM 87501-4295

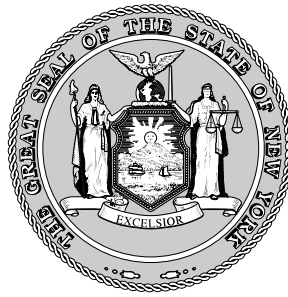
Phone: (505) 476-6500

Web site: <http://www.nmche.org>

Title 5: Post-Secondary Education
Chapter 7: Tuition and Financial Aid
Part 18: Residency for Tuition

3. “**Armed Forces.** Any person, their spouse or dependent child, not otherwise entitled to claim residence, who is a member of the armed forces of the United States assigned to active duty in the state of New Mexico will be assessed in-state tuition rates.

a. Assignment to active duty within New Mexico must be certified by the military person’s commanding officer upon the student’s initial enrollment. Such students may continue paying residents rates for as long as they attend consecutive semesters at the same institution.”



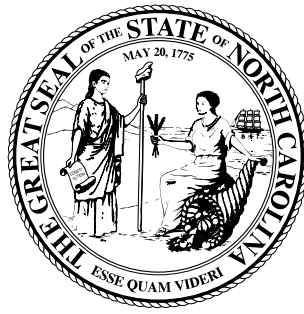
NEW YORK

State University of New York
State University Plaza
Albany, NY 12246

Phone: (518) 443-5474

STATE UNIVERSITY: EDUCATION LAW – Title 1, Section 355 (2) (h)

(3) “Such regulations shall further provide that the payment of tuition and fees by any student in any State-operated institution of the state university who is a member or the spouse or the dependent of a member of the armed forces of the United States on full-time active duty and stationed in this state, whether or not a resident of the state, shall be paid at a rate or charge no greater than that imposed for students there at who are residents of this state.”



NORTH CAROLINA

The University of North Carolina
General Administration
P.O. Box 2688
Chapel Hill, NC 27515-2688

Phone: (919) 962-4599

Web site: <http://www.ga.unc.edu>

Chapter 116, General Statutes of North Carolina

Article 14 TUITION AND FEES

116-143.3 Tuition of personnel in the armed services

(b) "Any member of the armed services qualifying for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3) but not qualifying as a resident for tuition purposes under G.S. 116-143.1 shall be charged the out-of-State tuition rate; provided, that the out-of-State tuition shall be forgiven to the extent that the out-of-State tuition rate exceeds any amounts payable to the institution or the service member by the service member's employer by reason of enrollment pursuant to such admission while the member is abiding in this State incident to active military duty, plus the amount that represents the percentage of the out-of-State tuition rate paid to the institution or the service member by the service member's employer multiplied by the in-state tuition rate and then subtracted from the in-state rate. Any member of the armed services who does not qualify for any payment by the member's employer shall be eligible to be charged the in-state tuition rate and shall pay the full amount of the in-state tuition rate."

(c) "Any dependent relative of a member of the armed services who is abiding in this State incident to active military duty, as defined by the Board of Governors of the University of North Carolina and by the State Board of Community Colleges while sharing the abode of that member shall be eligible to be charged the in-state tuition rate, if the dependent relative qualified for admission to an institution of higher education as defined in G.S. 116-143.1(a)(3). The dependent relatives shall comply with the requirements of the Selective Service System, if applicable, in order to be accorded this benefit. In the event the member of the armed services removed his abode from North Carolina during an academic year, the dependent relative shall continue to be eligible for the in-state tuition rate during the remainder that academic year."



NORTH DAKOTA

North Dakota University System
State Capitol
600 East Boulevard Avenue, Dept 215
Bismarck, ND 58505-0230

Phone: (701) 328-4114

Web site: <http://www.ndus.nodak.edu>

15-10-19-1. A resident student for tuition purposes means:

d. A full-time active duty member of the armed forces assigned to a military installation in North Dakota;

e. A spouse or dependent of a full-time active duty member of the armed forces assigned to a military installation in North Dakota;”

2. Definitions.

b. “Member of the armed forces” means only full-time duty members of the armed forces, and not national guard or reserve members.



OHIO

Ohio Board of Regents
30 East Broad Street
36th Floor
Columbus, OH 42515-3414

Phone: (614) 728-2902

Web site: <http://www.regents.state.oh.us>

3333-1-10 Ohio student residency for state subsidy and tuition surcharge purposes.

(E) "Exceptions to the general rule of residency for subsidy and tuition surcharge purposes:

(2) A person who enters and currently remains upon active duty status in the United States military service while a resident of Ohio for all other legal purposes and his or her dependents shall be considered residents of Ohio for these purposes as long as Ohio remains the state of such person's domicile.

(3) A person on active duty status in the United States military service who is stationed and resides in Ohio and his or her dependents shall be considered residents of Ohio for these purposes."



OKLAHOMA

INFORMATION ON THIS PAGE LAST UPDATED IN 1998

Oklahoma State Regents for Higher Education
655 Research Parkway, Suite 200
Oklahoma City, OK 73104

Phone: (405) 225-9100

Web site: <http://www.okhighered.org>

II-2-102 of 6-96

Section VII. Military Personnel

“A student attending an institution while on full-time active duty in the armed forces is considered as having a temporary residence in the State in which he/she is attending school; therefore, a student neither gains nor loses resident status solely by such military service. Members of the armed services stationed in Oklahoma, their spouses and dependent children shall be admitted without the payment of nonresident tuition so long as they continue to be stationed in the State in full-time military service and under military orders.”

“While the policy clearly states that nonresident tuition will be waived for military personnel, such a waiver does not constitute Oklahoma residence status.”



OREGON

Officer of the Chancellor
P.O. Box 3175
Eugene, OR 97403-0175

Phone: (541) 346-5763

Web site: <http://www.ous.edu>

Residence Classification of Armed Forces Personnel

580-10-0035

(1) “For purposes of this rule, armed services means officers and enlisted personnel of the United States Army, Navy, Air Force, Marine Corps, and Coast Guard.”

(2) “Members of the armed services and their spouses and dependent children who reside in this state while assigned to duty at any base, station, shore establishment, or other facility in this state, or while serving as members of the crew of a ship that has an Oregon port of shore establishment as its home port or permanent station, shall be considered residents for purposes of the instruction fee.”

(3) “An Oregon resident entering the armed services retains Oregon residence classification until it is voluntarily relinquished.”

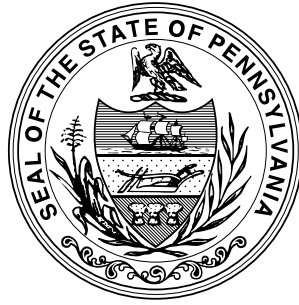
(4) “An Oregon resident who has been in the armed services and assigned on duty outside of Oregon must return to Oregon with 60 days after completing service to retain classification as an Oregon resident.”

(5) “A person who continues to reside in Oregon after separation from the armed services may count the time spent in the state while in the armed services to support a claim for classification as an Oregon resident.”

(6) “The dependent child and spouse of a person who is a resident under Section (2) of this rule shall be considered an Oregon resident. “Dependent child” includes any child of a member of the armed forces who:

(a) Is under 18 years of age and not married, otherwise emancipated, or self-supporting; or

(b) Is under 24 years of age, unmarried, enrolled in a full-time course of study in an institution of higher learning and dependent on the member for over one-half of his/her support.”



PENNSYLVANIA

INFORMATION ON THIS PAGE LAST UPDATED IN 1998

Commonwealth of Pennsylvania
Department of Education
333 Market Street
Harrisburg, PA 17126-0333

Phone: (717) 787-2414

Section 1. (a) "General rule.—The term 'resident' or 'residency,' or any other term or expression used to designate a commonwealth resident student, when used to determine the rate of tuition to be charged students attending community colleges, State-related and State-owned institutions of higher learning shall be construed to mean and include any military personnel or their dependents who are assigned to an active duty station in Pennsylvania and who reside in Pennsylvania."



PUERTO RICO

INFORMATION ON THIS PAGE LAST UPDATED IN 2000

University of Puerto Rico
Vice Presidency for Research and Academic Affairs
P.O. Box 364984
San Juan, PR 00936-4984

Phone: 787-751-8644

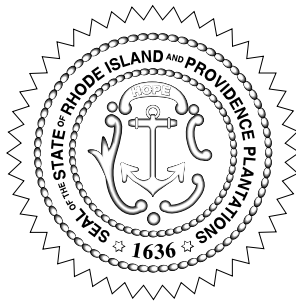
Web site: <http://www.upr.clu.edu>

Contact the individual institution for their policy on state tuition exemptions.

University of Puerto Rico in Aguadilla
Decanato de Asuntos Academicos
P.O. Box 250160
Aguadilla, PR 00604-0160

Phone: 787-890-5620

The university does not apply out-of-State rates. All students are charged in-state rates.



RHODE ISLAND

Rhode Island Board of Governors
for Higher Education
301 Promenade Street
Providence, RI 02908-5748

Phone: (401) 222-6560 Ext. 138

RESIDENCY POLICY

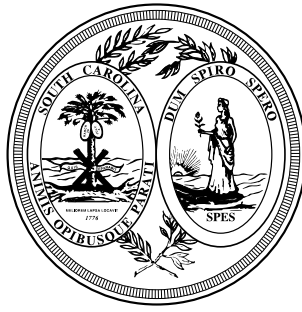
C. Criteria

1. "Unemancipated Students

e. An unemancipated student whose parent or guardian is a member of the Armed Forces and stationed in the state pursuant to military orders shall be entitled to the classification as a resident student during any semester the first class day of which is encompassed by the orders."

2. "Emancipated Students

d. A member of the Armed Forces on active duty or his or her spouse stationed in the state on military orders shall be entitled to classification as a resident student during any semester the first class day of which is encompassed by the orders."



SOUTH CAROLINA

South Carolina Commission on Higher Education
1333 Main Street
Suite 200
Columbia, SC 29201

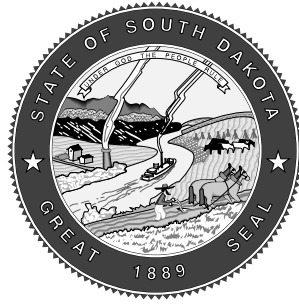
Phone: (803) 737-3933

Web site: <http://www.che400.state.sc.us>

South Carolina Code of Laws, Section 59-112-50

2. Facts: Military Personnel and Their Dependents

b. "Notwithstanding other provisions of this chapter, during the period of their assignment to duty in South Carolina, members of the armed services of the United States stationed in South Carolina and their dependents may be considered eligible for in-state rates. When such armed service personnel are ordered away from the state, their dependents may continue for an additional twelve months to have this eligibility at the State Institutions where they are enrolled at the time such assignment ends. Such persons and their dependents may be considered eligible for in-state rates for a period of twelve months after their discharge from the armed services even though they were not enrolled at a State Institution at the time of their discharge, if they have evidence of intent to establish domicile in South Carolina and if they have resided in South Carolina for a period of at least twelve months immediately preceding their discharge."



SOUTH DAKOTA

INFORMATION ON THIS PAGE LAST UPDATED IN 2000

South Dakota Board of Regents
306 East Capitol Avenue, Suite 200
Pierre, SD 57501-3455

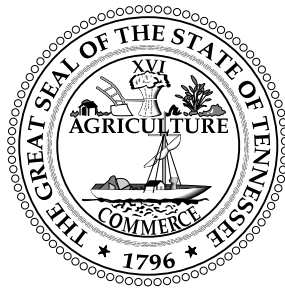
Phone: (605) 773-3455

Web site: <http://www.ris.sdbor.edu>

SD Law: SL 1996, ch 130

13-53-26. "Twelve months of residency must immediately precede first day of classes. A person shall be classified as a resident student if the person has continuously resided in South Dakota for at least twelve consecutive months immediately preceding the first scheduled day of classes of the semester or other session in which the individual registers in the regental system; subject to the exception in 13-53-29."

13-53-27. "Residence of unemancipated person for purpose of higher education. The residence of an unemancipated person under twenty-one years of age follows that of the parents or of a legal guardian who has actual custody of the person or administers the property of the person. In the case of divorce or separation, if either parent meets the residence requirements, the person shall be considered a resident."



TENNESSEE

Tennessee Board of Regents
1415 Murfreesboro Road
Suite 350
Nashville, TN 37217-2833

Phone: (615) 366-4437

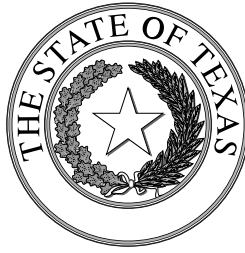
Tennessee Higher Education Commission Chapter 1540-1-1

1540-1-1-.05 Out-of-State Persons Who Are Not Permitted to Participate as In-State Persons.

(2) “An unemancipated person whose parent is not domiciled in this State but is a member of the armed forces and stationed in this State or at Fort Campbell pursuant to military orders shall be classified out-of-state but shall be permitted to participate in Commission programs as if they were classified in-state. Such person, while in continuous attendance toward the degree of which he or she is currently enrolled, shall not be affected should his or her parent thereafter be transferred on military orders.”

(4) “Part-time students who are not domiciled in this State but who are employed full-time in the State, or who are stationed at Fort Campbell pursuant to military orders, shall be classified out-of-state but shall be permitted to participate in Commission programs as if there were classified in-state.”

(5) “Military personnel and their spouses stationed in the State of Tennessee who would be classified out-of-state in accordance with other provisions of these regulations will be classified out-of-state but shall be permitted to participate in Commission programs as if they were classified in-state. This provision shall **not** apply to military personnel and their spouses who are stationed in this State primarily for educational purposes.”



TEXAS

Texas Higher Education Coordinating Board
P.O. Box 12788
Austin, TX 78711-2788

Phone: (512) 427-6473

Web site: <http://www.collegefortexans.com>

Eligibility for Waiver for Nonresident Tuition

54.5058. **Military Personnel and Dependents**

(b) "A person who is an officer, enlisted person, selectee, or draftee of the Army, Army Reserve, Army National Guard, Air National Guard, Air Force, Air Force Reserve, Navy, Navy Reserve, Marine Corps, Marine Corps Reserve, Coast Guard, or Coast Guard Reserve of the United States, who is assigned to duty in Texas, and the spouse and children of such an officer, enlisted person, selectee, or draftee, are entitled to register in a state institution of higher education by paying the tuition fee and other fees or charges required of Texas residents, without regard to the length of time the officer, enlisted person, selectee, or draftee has been assigned to duty or resided in the state. However, out-of-State Army National Guard or Air National Guard members attending training with Texas Army or Air National Guard units under National Guard Bureau regulations may not be exempted from nonresident tuition by virtue of that training status nor may out-of-State Army, Air Force, Navy, Marine Corps, or Coast Guard Reserves training with units in Texas under similar regulations be exempted from nonresident tuition by virtue of that training status. It is the intent of the legislature that only those members of the Army or Air National Guard or other reserve forces mentioned above be exempted from the nonresident tuition fee and other fees and charges only when they become members of Texas units of the military organizations mentioned above.

(c) As long as they reside continuously in Texas, the spouse and children of a member of the Armed Forces of the United States who has been assigned to duty elsewhere immediately following assignment to duty in Texas are entitled to pay the tuition fees and other fees or charges provided for Texas."



UTAH

INFORMATION ON THIS PAGE LAST UPDATED IN 2000

Utah System of Higher Education
355 West North Temple
3 Triad Center, Suite 550
Salt Lake City, UT 84180-1205

Phone: (801) 321-7110

Web site: <http://uacme.org>

1. Excerpt from Utah Code Annotated (1953) Section 53B-8-102, Definition of resident student:

(5) "Personnel of the United States Armed Forces assigned to active duty in Utah, and the immediate members of their families residing with them in this State are entitled to resident status for tuition purposes. Upon the termination of active duty status, the military personnel and their family members are governed by the standards applicable to nonmilitary persons."

2. Excerpt from State Board of regents Policy R512, Determination of Resident Status:

4.3 "Military Personnel, Spouses & Children – Personnel of the United States Armed Forces assigned to active duty in Utah, and the immediate members of their families residing with them in this State shall be entitled to resident status for tuition purposes. Upon the termination of active duty status, such military personnel and their family members are governed by the standards applicable to non-military person."



VERMONT

Career & Workforce Development
Vermont Department of Education
120 State Street
Montpelier, VT 05620-2501

Phone: (802) 828-5139

Excerpt from the University of Vermont catalog.

“Nearly all state universities function as departments of government, and the faculty and staff are state employees. In Vermont, the University is an ‘instrumentality’ of the State and its Board of Trustees balances both the public and private sectors. The Board is composed of 25 members: nine self-perpetuating, nine elected by the State Legislature, three appointed by the Governor, and two members of the student body.”

There are two systems of public higher education:

1. University of Vermont has in-state and out-of-state tuition rates.
2. State College System consisting of
 - 3 - 4-year college
 - 1 - Technical College
 - 2 - Community College

The Vermont state college system has in-state and out-of-state tuition rates.



VIRGINIA

Commonwealth of Virginia
Council of Higher Education
James Monroe Building
101 North 14th Street
Richmond, VA 23219

Phone: (804) 225-2614

Web site: <http://schev.edu/main.asp>

1. A non-resident active duty military person stationed in Virginia for normal duty will be charged out-of-state rates at public institutions unless the military has set up a Special Contract Rate and the military member uses TA. The contract rate may or may not be equal to the in-state rate, but is much cheaper than out-of-state rate. Military who use their VA or self-pay and are not using TA will be classified out-of-state and pay the out-of-state rate. If using TA they are eligible for the contract rate.
2. Contract rate can be applied to both on-base and on-campus coursework.
3. A family member (spouse or dependent child) will be charged out-of-state rates unless the member attempts to establish domicile or qualify via an exception clause.
4. Mandatory one-year waiting period is waived for active-duty personnel, but domicile still must be established. This means military members and their family members can be eligible for the in-state tuition rate as of the beginning of the next academic term by demonstrating that Virginia domicile has been established. Typical documentation requested includes, but is not limited to, the following – driver's license, car registration, voter registration and pay income taxes to Virginia. Others who move to the state have to wait a year to get the same benefit.



WASHINGTON

Higher Education Coordinating Board
917 Lakeridge Way
P.O. Box 43430
Olympia, WA 98504-3430

Phone: (360) 753-7866

Web site: <http://www.hecb.wa.gov>

Legislation passed on March 24, 2000 includes the following information:

Section 2(2)(e) and (f) for complete definition of residency.

(2) "The term 'resident student' shall mean:

(e) A student who is on active military duty stationed in the state;

(f) A student who is the spouse or a dependent of a person who is on active military duty stationed in the state."



WEST VIRGINIA

Veterans State Approving Agency
1018 Kanawha Boulevard, East, Suite 700
Charleston, WV 25301

Phone: (304) 558-0263

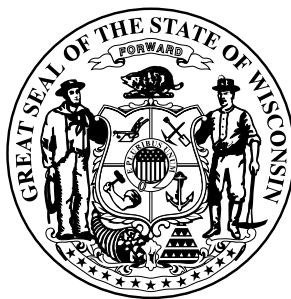
Web site: <http://www.hepc.wvnet.edu>

Residency Classification of Students for Admission and Fee Purposes

Title 131, Series 34, Section 6. Military

6.1 "An individual who is on full-time active military service in another state or a foreign country shall be classified as an in-state student for the purpose of payment of tuition and fees, provided that the person established a domicile in West Virginia prior to entrance into federal service, entered the federal service from West Virginia, and has at no time while in federal service claimed or established a domicile in another state. Sworn statements attesting to these conditions may be required. The spouse and dependent children of such individual shall also be classified as in-state students for tuition and fee purposes."

6.2 "Person assigned to full-time active military service in West Virginia and residing in the state shall be classified as in-state students for tuition and fee purposes. The spouse and dependent children of such individuals shall also be classified as in-state students for tuition and fee purposes."



WISCONSIN

State of Wisconsin
Higher Educational Aids Board
P.O. Box 7885
Madison, WI 53707-7885

Phone: (608) 267-9865

Web site: <http://heab.state.wi.us>

36.25 University of Wisconsin System

36.27 Tuition.

(2) Nonresident Tuition Exceptions.

(a) "Students qualifying under any of the following categories while they continue to be residents of this State, are entitled to exemption from nonresident tuition but not from incidental or other fees:

(b) 1. Nonresident members of the armed forces and persons engaged in alternative service who are stationed in this state on active duty and their spouses and children are entitled to the exemption under par. (a) during the period that such persons are stationed in this state.

2. Members of the armed forces who reside in this State and are stationed at a federal military installation located within 90 miles of the borders of this State, and their spouses and children entitled to the exemption under par. (a)."



WYOMING

Wyoming Community College Commission
2020 Carey Avenue, Eighth Floor
Cheyenne, WY 82002

Phone: (307) 777-6290

Web site: <http://commission.wcc.edu>

Rules of the Wyoming Community College System dated December 14, 1993

Chapter 3, Section 5(c) “Residence. Any of the following may be used by a student and would result in an individual being classified or reclassified as a Wyoming resident for tuition purposes:

(vi) An individual on active duty in Wyoming with the United States Armed Forces, Wyoming National Guard or Reserves, and his/her legal dependents.”